

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

PHILLIP ALVIN JONES,
Petitioner,

*

*

v.

CIVIL ACTION NO. JFM-14-2177

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DAVID R. BLUMBERG, et al.,
Respondents.

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MEMORANDUM

The above-captioned action was filed with this court on July 7, 2014. Petitioner seeks to have this court order David R. Blumberg, Chairman of the Maryland Parole Commission, and Tanya Smith, Operations Administrator for the Maryland Parole Commission to provide petitioner his complete Maryland Parole Commission file. ECF No. 1. Although petitioner has not filed a motion for leave to proceed in forma pauperis, because he appears indigent, indigency status shall be granted pursuant to 28 U.S.C. § 1915(a).

Because petitioner seeks to compel a certain action by the state and/or its agents, the court concludes that the present matter is in the nature of a writ of mandamus. *See* 28 U.S.C. § 1361. Federal district courts have original jurisdiction of any action in the nature of mandamus to compel an officer or employee of the United States or one of its agencies to perform a duty owed to a petitioner. However, this court has no mandamus jurisdiction over state employees and cannot compel the Maryland Parole Commission to provide petitioner a copy of his file. *See Gurley v. Superior Court of Mecklenburg County*, 411 F.2d 586, 586-87 (4th Cir. 1969). Therefore, petitioner's request for mandamus relief shall be denied. A separate Order follows.

July 9, 2014
Date

/s/
J. Frederick Motz
United States District Judge